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Attorneys for Defendant
TWININGS NORTH AMERICA, INC.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

NANCY LANOVAZ, on behalf of herself and all others similarly situated, Plaintiff, v. TWININGS NORTH AMERICA, INC., Defendant.	Case No. CV12-02646-RMW **CLASS ACTION** **STIPULATION AND [] ORDER CONTINUING CASE MANAGEMENT CONFERENCE** **[CIVIL L.R. 6-1]** Judge: Hon. Ronald M. Whyte Action Filed: May 23, 2012

1   Pursuant to Civil Local Rule 6-1, plaintiff Nancy Lanovaz, on behalf of herself and all

2   others similarly situated, and defendant Twinings North America, Inc. ("Twinings") through their

3   undersigned counsel, hereby stipulate as follows:

4   WHEREAS, this action was filed in this Court on May 23, 2012, Twinings filed a Motion

5   to Dismiss the Complaint on August 31, 2012, Plaintiff filed an Amended Complaint on

6   September 20, 2013, and Twinings filed a Motion to Dismiss the Amended Complaint on

7   October 15, 2012;

8   WHERAS, the Court issued an Order Granting in Part and Denying in Part Defendant's

9   Motion to Dismiss on February 25, 2013, and Plaintiff filed a Second Amended Complaint on

10   March 19, 2013;

11   WHEREAS, Twinings intends to file a Motion to Dismiss the Second Amended

12   Complaint on April 5, 2013 and will notice the hearing for May 10, 2013;

13   WHEREAS, the Court has scheduled the Case Management Conference for April 19,

14   2013 at 10:30 a.m.;

15   WHEREAS, the parties believe that this matter is not ready for an initial Case

16   Management Conference given that the briefing on the Motion to Dismiss the Second Amended

17   Complaint will not be completed by April 19, 2013;

18   WHEREAS, for the convenience of the parties and this Court, the parties respectfully

19   request that the Case Management Conference should be continued to May 10, 2013, the date of

20   the hearing on Defendant's motion, or to a later date after the Court has ruled on Defendant's

21   motion because, until the pleadings are settled, it is premature to set dates for further proceedings;

22   IT IS HEREBY STIPULATED AND AGREED by the parties, through their counsel, that

23   pursuant to Local Rule 6-1(b), the Case Management Conference shall be continued to May 10,

24   2013, or a later date to be determined by the Court.

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STIPULATION CONTINUING CMC   1
CASE NO. CV12-02646-RMW
sf-3270348

1   Dated: April 4, 2013

WILLIAM L. STERN
CLAUDIA M. VETESI
2
LISA A. WONGCHENKO
MORRISON & FOERSTER LLP
3

4

By: /s/ *William L. Stern*
5   WILLIAM L. STERN

6   Attorneys for Defendant TWININGS
             NORTH AMERICA, INC.
7

8   Dated: April 4, 2013

Ben F. Pierce Gore
PRATT & ASSOCIATES
9
1901 S. Bascom Avenue, Suite 350
Campbell, CA 95008
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11

By: /s/ *Ben F. Pierce Gore*
12   BEN F. PIERCE GORE

13   Attorney for Plaintiff

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STIPULATION CONTINUING CMC   2
CASE NO. CV12-02646-RMW
sf-3270348

ECF ATTESTATION

I, William L. Stern, am the ECF User whose ID and password are being used to file the following: **STIPULATION CONTINUING CASE MANAGEMENT CONFERENCE**. In compliance with Civil Local Rule 5-1(i), I hereby attest that Ben F. Pierce Gore has concurred in this filing.

Dated: April 4, 2013

WILLIAM L. STERN
CLAUDIA M. VETESI
LISA A. WONGCHENKO
MORRISON & FOERSTER LLP

By: /s/ *William L. Stern*
      WILLIAM L. STERN

[] ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: _____   _____

RONALD M. WHYTE
United States District Judge